

A M I N I^{LLC}

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MEMBER NY & NJ BARS

March 18, 2025

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By ECF and Email

Honorable Alan S. Trust
U.S. Bankruptcy Court for the Eastern District of New York
Alfonse M. D'Amato Federal Courthouse
290 Federal Plaza
Central Islip, NY 11722

Re: In re Absolut Facilities Management, LLC 19-bk-76260-ast

Dear Judge Trust:

We represent the Plan Administrator Ronald Winters of Gibbins Advisors, LLC herein and write to request an adjournment of the status conference scheduled for March 26, 2025, to September 2025.

The reason for the requested adjournment is: Under Section 6 of the Asset Purchase Agreement [Dkt. 432 Exhibit C], the buyer RCA Healthcare Management LLC (“RCA”) agreed to close only after receipt of (1) approval by the New York State Department of Health (“DOH”) of the certificate of need (“CON”) applications seeking DOH approval of the subject transaction¹ and (2) HUD approval. (See also APA §§ 12.4 and 13.4, providing said approval are conditions to closing.)

The CON applications were not considered at the prior Public Health and Health Planning Council meetings, and we have not received an indication as to whether the transaction will be considered at the Public Health and Health Planning Council meetings scheduled for later this year. We accordingly request a six-month adjournment to September 2025.

We are current on post-confirmation reporting and the United States Trustee does not oppose the requested adjournment.

We thank the Court for its consideration of this requested adjournment,

/s/ Jeffrey Chubak

cc: counsel of record

¹ Status of RCA's CON applications can be tracked [here](#). Type Absolut into “Facility Name” field, RCA into “Operator Name” field and click search.